

REMARKS

The present amendment is submitted in an earnest effort to advance the case to issue without delay.

The Abstract of the Disclosure was objected to for the use of "comprising" phraseology. Applicant has amended the Abstract to correct this informality.

The Drawings were objected to under 37 C.F.R. § 1.83(a) for failing to show elements 450 and 452. Applicant believes the Examiner refers to page 13 (third paragraph) where a plurality of apertures are referred to as "450" and "452". Figures 8-10 have been amended as herewith submitted to connect these numerals to the appropriate apertures.

Applicant thanks the Examiner for the indication of allowable subject matter with respect to claims 12 and 29. New independent claims 31 and 32 result from the combinations of claims 1, 9 and 12 and combination of claims 18 and 29, respectively.

Although applicant is pleased with the indication of allowable subject matter, the Examiner is requested to reconsider claims 1 and 18 as now amended in light of the following comments.

Claims 1-4, 6, 10-11, 13, 18-20, 22, 24-26 and 29-30 were rejected under 35 U.S.C. § 102(b) as anticipated by Arnold et al. (U.S. Patent 5,855,299). Applicant traverses this rejection.

Applicant has amended claims 1 and 18 to conform with the equivalent granted EP 1 326 786 B1, and in line with the favorable International Preliminary Examination Report. The revised claims focus upon a first channel 410 which extends through a locking surface (ridge 72) of the bottle finish surface.

The problem of the present invention focuses on minimizing the amount of residual liquid left in the reservoir between the bottle body finish and fitment, once contents of the bottle have been substantially depleted. The solution to this problem was the formation of a first channel extending through the locking surface of the finish adjacent to the fitment wall. The unobviousness of the present invention is that those skilled in the art would not along a locking surface ordinarily place a non-liquid tight structure such as channel 410.

Arnold et al. places no channel along the finish (inner surface of neck 18). There simply is no contemplation of placing channels in a locking surface of the finish. For this reason, Arnold et al. would not anticipate the claims.

Claims 7-8, 14-17 and 28 were rejected under 35 U.S.C. § 103(a) as obvious over Arnold et al. (U.S. Patent 5,855,299). Applicant traverses this rejection.

Arnold et al. does not show, teach or suggest a first channel which extends through a locking surface of the first finish. It is not intuitively obvious to compromise the sealing of a locking surface with a flow channel. For this reason amended independent claims 1 and 18 as well as their dependent claims would not be obvious in consideration of the reference.

Claims 5 and 21 were rejected under 35 U.S.C. § 103(a) as obvious over Arnold et al. (U.S. Patent 5,855,299). Applicant traverses this rejection.

These claims are dependent through claims 1 and 18. Applicant has noted the unobvious use of a first channel 410 which extends through a locking surface of a finish intended to seal the bottle. For this reason, those skilled in the art would not arrive at the presently claimed invention upon consideration of the reference.

Claims 9 and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Arnold et al. (U.S. Patent 5,855,299) in view of Haffner et al. (U.S. Patent 5,566,862). Applicant traverses this rejection.

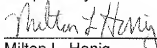
Haffner et al. does not remedy the basic deficiencies of Arnold et al. Since claims 9 and 23 are dependent through the primary claims, the Examiner is directed to applicant's comments *vide supra*.

Claim 27 was rejected under 35 C.F.R. § 103(a) as unpatentable over Arnold et al. (U.S. Patent 5,855,299) in view of Greenhalgh. Applicant traverses this rejection.

Claim 27 is dependent through claim 1. The latter has been fully distinguished over Arnold et al. Greenhalgh does not remedy the deficiency of the primary reference. See applicant's comments *vide supra*.

In view of the foregoing amendment and comments, applicant requests the Examiner to reconsider the rejection and now allow all the claims.

Respectfully submitted,



Milton L. Honig
Registration No. 28,617
Attorney for Applicant(s)

MLH/sm
(201) 894-2403